



CASE REPORT

1. Complaint reference number	386/08
2. Advertiser	TrueLocal
3. Product	Housegoods/services
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Sexual preference – section 2.1
6. Date of determination	Wednesday, 8 October 2008
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features a man sitting at an outdoor cafe relating stories of his encounters with famous celebrities.

THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

It is clear from the inference in the ad that the man in the alfresco area is meant to be a superficial gay man who pretends to travel in celebrity circles. I find this offensive and believe it portrays a negative and ultimately discriminatory view of gay men.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

The basis of the 'Name Dropper' character is an artistic man who moves within creative circles, therefore the actor's performance was based on a person with an abundance of creative flair. At no stage do we say or make any suggestion that he is gay, nor do we make derogatory statements about gay people. We are simply portraying a person with excessive creative flair.

The television commercial makes light-hearted fun of a celebrity name dropper because he is a celebrity name dropper, not because he might be read as gay. There is no discrimination and no vilification of anyone based on sexual preference. Even if a particular viewer might think the character is gay, nothing in the commercial comments on homosexual men generally. The commercial is not offensive or derogatory of homosexual men.

Accordingly we respectfully submit that the Advertising Standards Board should conclude that the commercial does not breach Section 2 of the Advertiser Code of Ethics.

THE DETERMINATION

The Advertising Standards Board ("Board") considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the "Code").

The Board considered the application of Section 2.1, relating to discrimination and vilification. The Board accepted the advertiser's response that the character portrayed was intended to be artistic or creative, with creative flair and agreed there was no suggestion that the character is homosexual and that there were no derogatory references to homosexual people. The Board therefore agreed there was no vilification on the basis of sexual preference or discrimination against any section of the

community.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.